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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

In re application of: Field et al.

Attorney Docket No.:
SUN1P252/P4198

Application No.: 09/540,576

Examiner: Kiss, Eric B.

Filed: March 31, 2000

Group: 2122

Title: DEBUGGER PROTOCOL GENERATOR

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail to: Commissioner for Patents, Washington, DC 20231 on January 22, 2003.

Signed: Kristina Gomez

Kristina Gomez

Response After Final

Commissioner for Patents
BOX: AF
Washington, D.C. 20231

Dear Sir:

In response to the Office Action dated November 20, 2002, please enter the following remarks.

REMARKS

In the Final Office Action, the Examiner rejected claims 1-18 under 35 U.S.C § 102(b) based upon public use or sale of the invention. Initially, it should be noted that the undersigned earnestly believes that the Examiner is attempting to reject claims 1-18 for public disclosure of the claimed invention. Moreover, the Examiner has merely asserted that there is public disclosure of the invention without making a *prima facie* case which at least asserts the claimed features are disclosed. Accordingly, it is respectfully submitted that this rejection is improper.